

United States Bankruptcy Court
Middle District of Pennsylvania

In re:
Michael H. Butler
Jeanette M. Butler
Debtors

Case No. 18-00267-HWV
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0314-1

User: karendavi
Form ID: pdf002

Page 1 of 2
Total Noticed: 25

Date Rcvd: Mar 13, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 15, 2018.

db/jdb
5014724 +Michael H. Butler, Jeanette M. Butler, 3517 Beaufort Street, Harrisburg, PA 17111-2119
++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank Of America, PO Box 982238, El Paso, TX 79998)
5014725 +Berkeley County Sheriff, 400 West Stephen Street, Suite 209, Martinsburg, WV 25401-3838
5014726 +CB USA Sears, PO Box 790040, Saint Louis, MO 63179-0040
5014728 +Comcast, PO Box 3001, Southeastern, PA 19398-3001
5014729 +Crescent Orchard Homeowner's Associ, PO Box 9, Gerrardstown, WV 25420-0009
5014731 +Huong Bui, DDS, 4808 Derry Street, Harrisburg, PA 17111-3440
5014732 +Keystone Collections Group, PO Box 529, Irwin, PA 15642-0529
5014722 PA Department of Revenue, Bureau of Individual Taxes, Dept 280431,
Harrisburg, PA 17128-0431
5014735 +Penn Waste, PO Box 3066, York, PA 17402-0066
5014737 +TouchStone Realty, 2986 Winchester Ave., Martinsburg, WV 25405-2444
5014738 +Verizon, PO Box 25505, Lehigh Valley, PA 18002-5505
5014739 +WellSpan Health, PO Box 742641, Cincinnati, OH 45274-2641
5014740 +WellSpan Physician Billing, PO Box 742641, Cincinnati, OH 45274-2641
5014741 +Western Alliance Bank, PO Box 742628, Cincinnati, OH 45274-2628

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
cr

5014723 +E-mail/Text: collections-recovery@bankatcity.com Mar 13 2018 19:05:11
City National Bank of West Virginia, P.O. Box 7220, Charleston, WV 25356-0220
E-mail/Text: bnc@trustamerifirst.com Mar 13 2018 19:05:11
AmeriFirst Home Improvement Finance, 11171 Mill Valley Road, Omaha, NE 68154
5017121 +E-mail/Text: collections-recovery@bankatcity.com Mar 13 2018 19:05:11 City National Bank,
PO Box 7220, Cross Lanes, WV 25356-0220
5014727 +E-mail/Text: collections-recovery@bankatcity.com Mar 13 2018 19:05:11 City National Bank Of,
3601 Maccorkle Avenue, Charleston, WV 25304-1498
5014730 +E-mail/Text: bankruptcy.bnc@ditech.com Mar 13 2018 19:05:08 Ditech, Attn: Bankruptcy,
PO Box 6172, Rapid City, SD 57709-6172
5026652 +E-mail/Text: bankruptcy.bnc@ditech.com Mar 13 2018 19:05:08 First Financial Bank,
c/o Ditech Financial LLC, PO Box 6154, Rapid City SD 57709-6154
5014721 E-mail/Text: cio.bncmail@irs.gov Mar 13 2018 19:05:01 Internal Revenue Service, POB 7346,
Philadelphia, PA 19101-7346
5014733 +E-mail/Text: unger@members1st.org Mar 13 2018 19:05:52 Members 1st F C U, 5000 Louise Dr,
Mechanicsburg, PA 17055-4899
5014734 +E-mail/Text: unger@members1st.org Mar 13 2018 19:05:52 Members 1st Federal Credit Union,
5000 Louise Drive, Mechanicsburg, PA 17055-4899
5014736 +E-mail/Text: jennifer.chacon@sp servicing.com Mar 13 2018 19:06:00
Select Portfolio Servicing, Inc, PO Box 65250, Salt Lake City, UT 84165-0250
TOTAL: 10

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 15, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 13, 2018 at the address(es) listed below:

Charles J DeHart, III (Trustee) dehartstaff@pamd13trustee.com, TWecf@pamd13trustee.com
Gary J Imblum on behalf of Debtor 1 Michael H. Butler gary.imblum@imblumlaw.com,
gary.imblum@ecf.inforuptcy.com;carol.shay@ecf.inforuptcy.com;sharlene.miller@ecf.inforuptcy.com;b
ernadette.davis@ecf.inforuptcy.com;gary.j.imblum@ecf.inforuptcy.com
Gary J Imblum on behalf of Debtor 2 Jeanette M. Butler gary.imblum@imblumlaw.com,
gary.imblum@ecf.inforuptcy.com;carol.shay@ecf.inforuptcy.com;sharlene.miller@ecf.inforuptcy.com;b
ernadette.davis@ecf.inforuptcy.com;gary.j.imblum@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor U.S. Bank National Association, as indenture trustee,
for the holders of the CIM Trust 2017-4, Mortgage-Backed Notes, Series 2017-4
bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor First Financial Bank, formerly known as First
Financial Bank, N.A. successor in interest to FDIC as receiver for Irwin Union Bank and Trust
Company bkgroup@kmlawgroup.com
Lois Marie Vitti on behalf of Creditor City National Bank of West Virginia
loismvitti@vitttilaw.com, nicole@vitttilaw.com
United States Trustee ustpregion03.ha.ecf@usdoj.gov

TOTAL: 7

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

Michael H. Butler
Jeanette M. Butler

CHAPTER 13

CASE NO. _____

☒ ORIGINAL PLAN☐ AMENDED PLAN (Indicate 1ST, 2ND, 3RD, etc.)☐ Number of Motions to Avoid Liens☐ Number of Motions to Value CollateralCHAPTER 13 PLAN

NOTICES

Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked or if neither box is checked, the provision will be ineffective if set out later in the plan.

- | | | | |
|---|--|--|--|
| 1 | The plan contains nonstandard provisions, set out in § 10, which are not included in the standard plan as approved by the U.S. Bankruptcy Court for the Middle District of Pennsylvania. | <input checked="" type="checkbox"/> Included | <input type="checkbox"/> Not Included |
| 2 | The plan contains a limit on the amount of a secured claim, set out in § 2.E, which may result in a partial payment or no payment at all to the secured creditor. | <input checked="" type="checkbox"/> Included | <input type="checkbox"/> Not Included |
| 3 | The plan avoids a judicial lien or nonpossessory, nonpurchase-money security interest, set out in § 2.G. | <input type="checkbox"/> Included | <input checked="" type="checkbox"/> Not Included |

YOUR RIGHTS WILL BE AFFECTED

READ THIS PLAN CAREFULLY. If you oppose any provision of this plan, you must file a timely written objection. This plan may be confirmed and become binding on you without further notice or hearing unless a written objection is filed before the deadline stated on the Notice issued in connection with the filing of the plan.

1. PLAN FUNDING AND LENGTH OF PLAN

A. Plan Payments From Future Income

1. To date, the Debtor paid \$0.00 (enter \$0 if no payments have been made to the Trustee to date). Debtor shall pay to the Trustee for the remaining term of the plan the following payments. If applicable, in addition to monthly plan payments, Debtor shall make conduit payments through the Trustee as set forth below. The total base plan is \$5,400.00, plus other payments and property stated in § 1B below:

Start mm/yy	End mm/yy	Plan Payment	Estimated Conduit Payment		Total Payment
02/18	07/21	150.00	0.00	150.00	5,400.00
				Total Payments:	\$5,400.00

2. If the plan provides for conduit mortgage payments, and the mortgagee notifies the Trustee that a different payment is due, the Trustee shall notify the Debtor and any attorney for the Debtor, in writing, to adjust the conduit payments and the plan funding. Debtor must pay all post-petition mortgage payments that come due before the initiation of conduit mortgage payments.

3. Debtor shall ensure that any wage attachments are adjusted when necessary to conform to the terms of the plan.

4. CHECK ONE: ☒ Debtor is at or under median income. *If this line is checked, the rest of § 1.A.4 need not be completed or reproduced.*

B. Additional Plan Funding From Liquidation of Assets/Other

1. The Debtor estimates that the liquidation value of this estate is \$15,595.06 - (assets in sole name of Jeanette Butler). (Liquidation value is calculated as the value of all non-exempt assets after the deduction of valid liens and encumbrances and before the deduction of Trustee fees and priority claims.)

Check one of the following two lines.

☒ No assets will be liquidated. If this line is checked, the rest of § 1.B need not be completed or reproduced.

☐ Certain assets will be liquidated as follows:

2. In addition to the above specified plan payments, Debtor shall dedicate to the plan proceeds in the estimated amount of \$__ from the sale of property known and designated as __. All sales shall be completed by __. If the property does not sell by the date specified, then the disposition of the property shall be as follows:

3. Other payments from any source(s) (describe specifically) shall be paid to the Trustee as follows:

2. SECURED CLAIMS.

A. Pre-Confirmation Distributions. Check one.

☒ None. *If "None" is checked, the rest of § 2.A need not be completed or reproduced.*

B. Mortgages (Including Claims Secured by Debtor's Principal Residence) and Other Direct Payments by Debtor. Check one.

☒ None. *If "None" is checked, the rest of § 2.B need not be completed or reproduced.*

C. Arrears (Including, but not limited to, claims secured by Debtor's principal residence). Check one.

☒ None. *If "None" is checked, the rest of § 2.C need not be completed or reproduced.*

D. Other secured claims (conduit payments and claims for which a § 506 valuation is not applicable, etc.)

☒ None. *If "None" is checked, the rest of § 2.D need not be completed or reproduced.*

E. Secured claims for which a § 506 valuation is applicable. Check one.

☒ None. *If "None" is checked, the rest of § 2.E need not be completed or reproduced.*

F. Surrender of Collateral. Check one.

☐ None. *If "None" is checked, the rest of § 2.F need not be completed or reproduced.*

☒ The Debtor elects to surrender to each creditor listed below the collateral that secures the creditor's claim. The Debtor requests that upon confirmation of this plan the stay under 11 U.S.C. §362(a) be terminated as to the collateral only and that the stay under §1301 be terminated in all respects. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 4 below.

Name of Creditor	Description of Collateral to be Surrendered
Berkeley County Sheriff	7.53 acres (wooded lot - no building) Lot 19 - Crescent Orchards Gerrardstown, WV 25420
City National Bank Of	7.53 acres (wooded lot - no building) Lot 19 - Crescent Orchards Gerrardstown, WV 25420
Crescent Orchard Homeowner's Associ	7.54 acres (wooded lot - no building) WV
Ditech	3517 Beaufort Street Harrisburg, PA 17111 Dauphin County

Name of Creditor	Description of Collateral to be Surrendered
Members First Federal Credit Union	2012 GMC Sierra
Select Portfolio Servicing, Inc	3517 Beaufort Street Harrisburg, PA 17111 Dauphin County

G. Lien Avoidance. Do not use for mortgages or for statutory liens, such as tax liens. Check one.

☐ None. If "None" is checked, the rest of § 2.G need not be completed or reproduced.

☒ The Debtor moves to avoid the following judicial and/or nonpossessory, non-purchase money liens of the following creditors pursuant to § 522(f) (this § should not be used for statutory or consensual liens such as mortgages).

3. PRIORITY CLAIMS.

A. Administrative Claims

1. Trustee's Fees. Percentage fees payable to the Trustee will be paid at the rate fixed by the United States Trustee.

2. Attorney's fees. Complete only one of the following options:

☐ In addition to the retainer of \$_____ already paid by the Debtor, the amount of \$_____ in the plan. This represents the unpaid balance of the presumptively reasonable fee specified in L.B.R. 2016-2(c); or.

☒ \$see 10 below per hour, with the hourly rate to be adjusted in accordance with the terms of the written fee agreement between the Debtor and the attorney. Payment of such lodestar compensation shall require a separate fee application with the compensation approved by the Court pursuant to L.B.R. 2016-2(b).

3. Other. Other administrative claims not included in §§ 3.A.1 or 3.A.2 above.

Check one of the following two lines.

☒ None. If "None" is checked, the rest of § 3.A.3 need not be completed or reproduced.

B. Priority Claims (including, but not limited to, Domestic Support Obligations other than those treated in § 3.C below). Check one of the following two lines.

☐ None. If "None" is checked, the rest of § 3.B need not be completed or reproduced.

☒ Allowed unsecured claims, including domestic support obligations, entitled to priority under § 1322(a) will be paid in full unless modified under § 10.

Name of Creditor	Estimated Total Payment
Keystone Collections Group	\$600.00

C. Domestic Support Obligations assigned to or owed to a governmental unit under 11 U.S.C. §507(a)(1)(B). Check one of the following two lines.

☒ None. If "None" is checked, the rest of § 3.C need not be completed or reproduced.

4. UNSECURED CLAIMS

A. Claims of Unsecured Nonpriority Creditors Specially Classified.

Check one of the following two lines.

☐ None. If "None" is checked, the rest of § 4.A need not be completed or reproduced.

☒ To the extent that funds are available, the allowed amount of the following unsecured claims, such as co-signed unsecured

debts, will be paid before other, unclassified, unsecured claims. The claim shall be paid interest at the rate stated below.
If no rate is stated, the interest rate set forth in the proof of claim shall apply..

Name of Creditor	Reason for Special Classification	Estimated Amount of Claim	Interest Rate	Estimated Total Payment
CB USA Sears	Wife's unsecured debt (to be paid in full)	\$348.94	0%	\$348.94
Huong Bui, DDS	Wife's unsecured debt (to be paid in full)	\$842.20	0%	\$842.20
WellSpan	Wife's unsecured debt (to be paid in full)	\$12.00	0%	\$12.00

B. Remaining allowed unsecured claims will receive a pro-rata distribution of funds remaining after payment of other classes.

5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES. *Check one of the following two lines.*

☒ None. *If "None" is checked, the rest of § 5 need not be completed or reproduced.*

6. VESTING OF PROPERTY OF THE ESTATE.

Property of the estate will vest in the Debtor upon

Check the applicable line:

- ☐ plan confirmation.
☐ entry of discharge.
☒ closing of case:

7. DISCHARGE: (Check one)

☒ The debtor will seek a discharge pursuant to § 1328(a).

☐ The debtor is not eligible for a discharge because the debtor has previously received a discharge described in § 1328(f).

8. STUDENT LOANS.

The Debtor does not seek to discharge any student loans, with the exception of the following: _____

9. ORDER OF DISTRIBUTION:

If a pre-petition creditor files a secured, priority or specially classified claim after the bar date, the Trustee will treat the claim as allowed, subject to objection by the Debtor.

Payments from the plan will be made by the Trustee in the following order:

Level 1: _____
Level 2: _____
Level 3: _____
Level 4: _____
Level 5: _____
Level 6: _____
Level 7: _____
Level 8: _____

If the above Levels are not filled-in, then the order of distribution of plan payments will be determined by the Trustee using the following as a guide:

Level 1: Adequate protection payments.
Level 2: Debtor's attorney's fees.
Level 3: Domestic Support Obligations.
Level 4: Priority claims, pro rata.
Level 5: Secured claims, pro rata.
Level 6: Specially classified unsecured claims.
Level 7: Timely general unsecured claims.
Level 8: Untimely filed general unsecured claims to which the Debtor has not objected.

10. NONSTANDARD PLAN PROVISIONS

Include the additional provisions below or on an attachment. Any nonstandard provision placed elsewhere in the plan is void.
(NOTE: The plan and any attachment must be filed as one document, not as a plan and exhibit.)

1A. If one of the debtors is not employed at the time of the filing of the plan, but has the ability to work, Debtors will notify counsel when he (or she) returns to work, and any necessary adjustments to the plan will be made at that time.

2(C). Debtor waives the right to object to these claims after the Plan is confirmed.

2(E). Amounts stated are estimated. If an objection is filed to a Proof of Claim, payment of the amount determined by the Court or as stipulated to by the parties.

2F. The collateral being surrendered is being surrendered in full satisfaction of debt.

3B. IRS and PA Department of Revenue - The priority and/or secured portion of a timely filed allowed Proof of Claim relating to tax claims referenced shall be paid in full through the Plan. If an objection is filed to any such claim, the amount of the unsecured priority and secured claim determined by the Court or through agreement of the parties shall be paid in full through the Plan.

Debtor may in the future provide for payment of post petition federal, state and/or local tax claims to the detriment of non priority unsecured claims.

3A(2). Attorney fees. Debtor's counsel will bill attorney's time at \$295.00 per hour associates time at \$235.00 per hour and paralegal time at \$135.00 per hour. Said hourly fees are subject to change upon reasonable notice to Debtor(s). Debtor's counsel will submit a Fee Application to the Court for approval of fees. Only those fees and costs approved by the Court shall be paid by the Trustee to counsel.

In addition to fees, Debtors will be responsible for expenses, including photo copying, travel (where applicable), postage, court costs, filing fees, and similar expenses which are incurred by counsel in the course of performing services to the Debtors.

Dated: _____


Gary J. Imblum 42606

Attorney for Debtor


Michael H. Butler

Debtor


Jeanette M. Butler

Joint Debtor

By filing this document, the debtor, if not represented by an attorney, or the Attorney for Debtor also certifies that this plan contains no nonstandard provisions other than those set out in § 10.